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Letter dated 20 December 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Bulgaria to the United Nations addressed to the President of the General Assembly

I am writing to you upon the adoption at the sixty-first session of the General Assembly of resolution 61/153 entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

As a committed State party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Bulgaria voted "yes" and welcomes the adoption of the resolution. We have always strongly supported initiatives aimed at the prohibition and elimination of the use of torture.

Freedom from torture is one of the few internationally agreed non-derogative rights. The use of torture and other cruel, inhuman or degrading treatment or punishment is absolutely prohibited, as reaffirmed in resolution 61/153, which was adopted by consensus during the sixty-first session of the Assembly.

Unfortunately, the appalling use of torture by state agents continues in many parts of the world, including with the aim of extracting evidence in judicial proceedings. The victims deserve the concern and attention of international society.

It is in this context that we as well as many members of the international community express our great disappointment and shock at the ruling by the Criminal Court in Tripoli on the deeply politicized case of the Bulgarian medical staff and the Palestinian trainee doctor.

We believe that the Bulgarian medical staff are innocent and this is supported by the views of internationally renowned scientific experts.

Bulgaria has repeatedly expressed deep concern about the manner in which the case was conducted, including the use of torture with which so-called "confessions" were obtained from the defendants. It has also been noted that many elements of the right to a just and fair trial have been violated during the proceedings, including the fact that no witness for the defence was called before the Court and obviously, the Court has not fully considered all the available evidence.

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Therefore, we strongly condemn the ruling of the Libyan Criminal Court. Furthermore, the death penalty is always an irreversible, cruel and inhuman punishment which often claims innocent lives.

Bulgaria strongly supports the efforts of the members of the international community towards the worldwide abolition of the death penalty and in this regard we have joined the signatories of the declaration on the death penalty which was submitted by a considerable number of co-sponsors on 19 December 2006.

Bulgaria appeals to the international community to condemn the Court's ruling based on evidence extracted as a result of torture and calls for the prompt release of the five Bulgarian nurses and the Palestinian doctor.

I kindly request that the present letter be circulated as a document of the General Assembly, under agenda item 67 (a).

(*Signed*) Ivan **Piperkov**
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Permanent Mission of the Republic of Bulgaria to the United Nations